

On June 30, 2021, Plaintiff filed a “Response to Answer” (the “Response,” Doc. 19) in which Plaintiff “expressly denies” certain portions of Defendant’s Answer and “objects to...and respectfully requests the court to review the defendant jury demand in accordance with Rule 39(a)(2)....” Doc. 19 at 1.¹

On July 14, 2021, Defendant filed the Motion to Strike, seeking to strike the Response.

The deadline to respond to the Motion to Strike was July 28, 2021. On August 9, 2021, almost two weeks after expiration of that deadline, Plaintiff filed an opposition to the Motion to Strike. Doc. 23.

Rule 7(a)(7) of the Federal Rules of Civil Procedure provides that a reply to an answer may be filed only when the court has ordered one. Here, the Court has not ordered or authorized Plaintiff to reply to Defendant’s Answer. See Laschewitsch v. Lincoln Life and Annuity Distributors, Inc., No. 5:13–CV–315–BO, 2013 WL 5780433, at *2 (E.D.N.C. Oct. 25, 2013).

¹ Although Plaintiff objects to Defendant’s jury demand, Plaintiff has not filed a motion challenging the jury demand.

IT IS THEREFORE ORDERED that the Motion to Strike Plaintiff's Response to Answer (Doc. 20) is **GRANTED** and Plaintiff's Response to Answer (Doc. 19) is **STRICKEN**.

Signed: August 10, 2021

A handwritten signature in black ink, reading "W. Carleton Metcalf", written over a horizontal line.

W. Carleton Metcalf
United States Magistrate Judge

